IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
SECOND APPEAL NO.408 OF 2004

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

CORAM: A.S.OKA, J.
DATED: AUGUST 1, 2006.

P.C.:

1. Heard Shri Gokhale for the Appellants-Plaintiffs. The suit filed by the Appellants-Plaintiffs has been dismissed by the Trial Court and the decree of the Trial Court has been confirmed in Appeal.

2. Shri Gokhale for the Appellants invited my attention to the finding recorded by the Appellate Court and in particular in paragraph 28 of its Judgment. He submitted that limited relief could have been granted in favour of the Appellants in view of the said finding. He submitted that errorneous finding of fact has been recorded by the Appellate Court.

3. I have considered the submissions. Perusal of the plaint shows that the Appellants have not claimed any relief in respect of Pot Hissa no.2 and 4 to 6 which were claimed by the Respondents. Apart from this fact, concurrent findings of fact recorded by the courts below are based on oral and documentary evidence on record. No substantial question of law arises. Second Appeal is dismissed with no order as to costs.

Judge.